

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

ALACIA C. QUINTON as PR for the  
Estate of April Lynn Quinton,

Plaintiff,

vs.

TOYOTA MOTOR CORPORATION;  
TOYOTA MOTOR SALES U.S.A., INC.;  
TOYOTA MOTOR ENGINEERING AND  
MANUFACTURING NORTH AMERICA,  
INC.; TOYODA GOSEI NORTH  
AMERICA CORPORATION,

Defendants.

Civil Action No.: 1:10-cv-02187-JMC

DEFENDANTS' RULE 26(a)(3) PRETRIAL DISCLOSURES

TOYOTA MOTOR CORPORATION, TOYOTA MOTOR SALES U.S.A., INC.,  
TOYOTA MOTOR ENGINEERING AND MANUFACTURING NORTH AMERICA, INC.,  
and TOYODA GOSEI NORTH AMERICA CORPORATION, pursuant to Rule 26(a)(3) of  
the Federal Rules of Civil Procedure and the Consent Amended Scheduling Order (May  
18, 2012), submit the following pretrial disclosures:

I. LIVE WITNESSES -

Rule 26(a)(3)(A)(i): The name, the address and telephone number of each  
witness, separately identifying those whom the party expects to present and those  
whom the party may call if the need arises.

DISCLOSURE:

See **Exhibit A**, attached hereto, for a list containing the following witnesses which Defendants expect to present and may call at trial.

Defendants expect to present the following witnesses:

1. Karen M. Balavich  
Exponent  
39100 Country Club Drive  
Farmington Hills, MI 48331  
248.324.9166

Ms. Balavich is a retained expert and is expected to testify regarding her opinions and analysis of the materials, condition, design, manufacture, and performance of the driver's curtain shield airbag in the 2009 Toyota Camry. Defendants refer to her expert report dated November 30, 2012 and her deposition testimony dated January 15, 2013.

2. Catherine F. Corrigan, Ph.D.  
Exponent  
3401 Market Street, Suite 300  
Philadelphia, PA 19104  
215.594.8800

Dr. Corrigan is a retained expert and is expected to testify regarding her opinions and analysis of the occupant kinematics and injury mechanisms involved in the subject rollover crash. Defendants refer to her expert report dated December 3, 2012 and her deposition testimony dated January 9, 2013.

3. Geoffrey J. Germane, Ph.D, P.E.  
Germane Engineering  
5314 North River Run Drive, Suite 310  
Provo, UT 84604  
801.802.8888

Dr. Germane is a retained expert and is expected to testify regarding his opinions and analysis pertaining to his reconstruction of the subject rollover accident. Defendants refer to his expert report dated November 29, 2012 and his deposition testimony dated December 11, 2012.

4. Robert J. Gratzinger, MS, MBA  
Gratzinger Engineering & Consulting, Inc.  
22 Via Ambra

Newport Coast, CA 92657  
949.955.3400

Mr. Gratzinger is a retained expert and is expected to testify regarding his opinions and analysis of the condition, design, and performance of the roof structure of the 2009 Toyota Camry. Defendants refer to his expert report dated November 29, 2012 and his deposition testimony dated December 19, 2012.

5. Michael E. Klima, P.E.  
Design Research Engineering  
46475 DeSoto Court  
Novi, MI 48377  
248-668-3450

Mr. Klima is a retained expert and is expected to testify regarding his opinions and analysis of the condition, design, and performance of the supplemental restraint systems in the 2009 Toyota Camry. Defendants refer to his expert report dated December 3, 2012 and his deposition testimony dated December 6, 2012.

6. Ichiro Fukumoto  
Toyota Motor Corporation (Japan)  
c/o Toyota Legal One  
c/o Toyota Motor Sales, U.S.A., Inc.  
19001 S. Western Avenue – HQ11  
Torrance, CA 90501  
310.468.1772

Mr. Fukumoto is an engineer at Toyota Motor Corporation and is expected to testify about the design, development, testing, and performance of the 2009 Toyota Camry's curtain shield airbag, as well as the crashworthiness of the 2009 Toyota Camry. Defendants also refer to Mr. Fukumoto's Rule 30(b)(6) deposition testimony dated August 30, 2012.

7. Michael Schorle  
Toyoda Gosei North America Corporation  
1400 Stephenson Highway  
Troy, MI 48083  
248.280.2100

Mr. Schorle is an engineer at TG Missouri Corporation and is expected to testify about the manufacturing processes and quality assurance/quality control procedures that were in place for the

manufacture and assembly of the 2009 Toyota Camry's curtain shield airbag, including the processes and procedures used at STB, TGT, and TGMO. Defendants also refer to Mr. Schorle's Rule 30(b)(6) deposition testimony dated September 20, 2012.

8. Kim Brazil  
Hollow Creek Fire Dept.  
858 Hollow Creek Road  
Salley, SC 29137-9493  
803.564.6164

Ms. Brazil was a member of the Hollow Creek Fire Department and responded to the subject accident on October 14, 2009. She is expected to testify about her observations and actions at the crash scene. Defendants also refer to Ms. Brazil's deposition testimony dated February 14, 2012.

9. Tina Livingston  
503 Bland Ave.  
Johnston, SC 29832  
803.275.3178

Ms. Livingston was a member of the Aiken County EMS and responded to the subject accident on October 14, 2009. She is expected to testify about her observations and actions at the crash scene. Defendants also refer to Ms. Livingston's deposition testimony dated October 10, 2012.

Defendants may call the following witnesses if need arises:

1. William W. Van Arsdell, Ph.D., P.E.  
Engineering Principles  
20 Main Street, Suite 206  
Natick, MA 01760  
508.315.3900

Dr. Van Arsdell is a retained expert and may testify regarding his opinions and analysis of the condition, design, and performance of the driver's seat belt restraint system in the 2009 Toyota Camry. Defendants refer to his expert report dated December 3, 2012 and his deposition testimony dated December 13, 2012. (Note: Defendants do not anticipate calling Dr. Van Arsdell in light of the Court's granting summary judgment as to Plaintiff's seat belt defect claims, but are disclosing Dr. Van Arsdell as a witness in the event that his opinions nonetheless become relevant at trial.)

2. Micky C. Marine, P.E.  
Managing Engineer  
Exponent  
23445 North 19<sup>th</sup> Ave.  
Phoenix, Arizona 85027  
623.582.6949

Mr. Marine is a consulting engineer and may testify about his factual knowledge about curtain airbag deployment testing conducted at Exponent on November 15, 2012 and November 20, 2012 in connection with this litigation. The reports of this testing were previously produced to Plaintiff on December 3, 2012 in connection with Defendants' expert disclosures.

3. Janine Smedley  
Exponent  
23445 North 19<sup>th</sup> Ave.  
Phoenix, Arizona 85027  
623.582.6949

Ms. Smedley is a consulting engineer and may testify about her factual knowledge about head form drop testing conducted at Exponent on November 30, 2012 in connection with this litigation. The report of this testing was previously produced to Plaintiff on December 3, 2012 in connection with Defendants' expert disclosures.

4. Barry Hare  
Toyota Motor Sales, USA, Inc.  
Mailstop HQ11  
19001 S. Western Avenue  
Torrance, CA 90501  
310.468.1309

Mr. Hare is an engineer at Toyota Motor Sales, U.S.A., Inc. and may testify about the function, performance, and results of the subject 2009 Toyota Camry's Event Data Recorder. Defendants also refer to Mr. Hare's Rule 30(b)(6) deposition testimony dated September 25, 2012.

5. Kevin Ro  
Toyota Motor North America, Inc.  
Technical and Regulatory Affairs  
601 13<sup>th</sup> Street NW #910S  
Washington, DC 20005  
202.775.1700

Mr. Ro is an engineer at Toyota Motor North America, Inc. and may testify about Toyota's communications with NHTSA regarding curtain shield airbags. Defendants also refer to Mr. Ro's Rule 30(b)(6) deposition testimony dated September 6, 2012.

6. Lt. Corporal T.M. McKinney III  
SC Highway Patrol  
Troop 7 Post C  
1718 Charleston Highway  
Orangeburg, SC 29115  
803.531.6855

Cpl. McKinney was the investigating officer for the subject crash. He may testify regarding his observations at the scene including, but not limited to, the information contained in the accident report and fatality package completed by the S.C. Highway Patrol. Defendants also refer to Cpl. McKinney's deposition testimony dated May 8, 2012.

7. Deputy Adam R. Stubbs  
Aiken County Sheriff's Office  
420 Hampton Avenue NE  
Aiken, SC 29801  
803.642.1761

Deputy Stubbs was a member of the Aiken County Sheriff's Office and responded to the subject accident on October 14, 2009. He may testify about his observations and actions at the crash scene. Defendants also refer to Deputy Stubbs' deposition testimony dated May 8, 2012.

8. Kathleen Calais  
Aiken County EMS  
Emergency Services  
621 York Street  
Aiken, SC 29801  
803.642.1624

Ms. Calais was a member of the Aiken County EMS and responded to the subject accident on October 14, 2009. She may testify about her observations and actions at the crash scene. Defendants also refer to Ms. Calais' deposition testimony dated May 8, 2012.

9. Chief J.D. Bledsoe  
Salley Police Department  
161 Railroad Avenue, North  
PO Box 484  
Salley, SC 29137  
803.258.3449

Chief Bledsoe was a member of the Salley Police Department and responded to the subject accident on October 14, 2009. He may testify about his observations and actions at the crash scene.

10. Dr. Raymond Bynoe  
Palmetto Health Richland  
5 Medical Park Drive  
Columbia, SC 29203  
803.434.7000

Dr. Bynoe was a physician at Palmetto Health Richland as of October 14, 2009. He may testify about his treatment of April Quinton for her injuries sustained in the subject accident.

11. Ronnie Cullum  
Lexington Co. Bus Driver  
PO Box 784  
Wagener, SC 29164  
803.522.1674

Mr. Cullum was driving a school bus near the accident scene and called 911 to report the crash. He may testify regarding his actions and observations at the crash scene. Defendants also refer to Mr. Cullum's deposition testimony dated March 3, 2011.

12. George Day  
Wagener Fire Dept.  
805 W SD Hwy 46  
Wagener, SC 57380  
605.384.9999

Mr. Day was a member of the Wagener Fire Department and responded to the subject accident on October 14, 2009. He may testify about his observations and actions at the crash scene. Defendants also refer to Mr. Day's deposition testimony dated February 13, 2012.

13. Glenn Poole  
Hollow Creek Fire Dept.  
858 Hollow Creek Road  
Salley, SC 29137-9493  
803.564.6164

Mr. Poole was a member of the Hollow Creek Fire Department and responded to the subject accident on October 14, 2009. He may testify about his observations and actions at the crash scene. Defendants also refer to Mr. Poole's deposition testimony dated February 14, 2012.

14. Brody Redd  
Wagener Fire Dept.  
805 W SD Hwy 46  
Wagener, SD 57380  
605.384.9999

Mr. Redd was a member of the Wagener Fire Department and responded to the subject accident on October 14, 2009. He may testify about his observations and actions at the crash scene. Defendants also refer to Mr. Redd's deposition testimony dated February 13, 2012.

15. Cody Redd  
Wagener Fire Dept.  
805 W SD Hwy 46  
Wagener, SD 57380  
605.384.9999

Mr. Redd was a member of the Wagener Fire Department and responded to the subject accident on October 14, 2009. He may testify about his observations and actions at the crash scene. Defendants also refer to Mr. Redd's deposition testimony dated February 13, 2012.

16. Jeff Smith  
Aiken County Coroner's Office  
Room 216  
109 Park Avenue  
Aiken, SC 29801  
803.642.1740

Mr. Smith may testify regarding the Aiken County Coroner's investigation of the subject crash and Ms. Quinton's injuries and/or death. Defendants also refer to Mr. Smith's deposition



testimony dated May 8, 2012.

17. Wesley Steen  
274 Hollow Creek Road  
Salley, SC 29137  
Aiken County  
803.564.5655

Mr. Steen was a member of the Hollow Creek Fire Department and responded to the subject accident on October 14, 2009. He may testify about his observations and actions at the crash scene.

18. Richard Sullivan  
Wagener Fire Dept.  
805 W SD Hwy 46  
Wagner, SD 57380  
605.384.9999

Mr. Sullivan was a member of the Wagener Fire Department and responded to the subject accident on October 14, 2009. He may testify about his observations and actions at the crash scene. Defendants also refer to Mr. Sullivan's deposition testimony dated February 13, 2012.

19. Alacia Quinton  
224 Altees Corbett Road  
Salley, SC 29137  
803.564.6252

Ms. Quinton is the Plaintiff and mother of the decedent, April Quinton. She may testify about her observations and actions at the crash scene. Defendants also refer to Mr. Quinton's deposition testimony dated October 10, 2012.

II. WITNESSES BY DEPOSITION:

Rule 26(a)(3)(A)(ii): The designation of those witnesses whose testimony is expected to be presented by means of a deposition and, if not taken stenographically, a transcript of the pertinent portions of the deposition testimony.

DISCLOSURE:

See **Exhibit B**, attached hereto, for a list of deposition designations for the following witnesses that Defendants may present by deposition:

1. Kim Brazil  
Hollow Creek Fire Dept.  
858 Hollow Creek Road  
Salley, SC 29137-9493
2. Tina Livingston  
503 Bland Ave.  
Johnston, SC 29832
3. Lt. Corporal T.M. McKinney III  
SC Highway Patrol  
Troop 7 Post C  
1718 Charleston Highway  
Orangeburg, SC 29115
4. Richard Sullivan  
Wagener Fire Dept.  
805 W SD Hwy 46  
Wagner, SD 57380
5. Alacia Quinton  
224 Altees Corbett Road  
Salley, SC 29137  
803.564.6252

III. EXHIBITS

Rule 26(a)(3)(A)(iii): An identification of each document or other exhibit, including summaries of other evidence, separately identifying those which the party expects to offer and those which the party may offer if the need arises.

DISCLOSURE:

See **Exhibit C**, attached hereto, for a list of exhibits that Defendants expect to offer and may offer at trial.

Dated: May 1, 2013

Respectfully submitted,

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